

PATENT

Applicant: MICHAEL J. HORGAN; TIM ALLEN; MICHAEL GARDNER; TERRI MCGILL
Serial No.: 08/908,994
Filed: AUGUST 8, 1997
Title: METHOD AND APPARATUS FOR SECURE COMMUNICATIONS
Group:
Examiner:
Docket No.: 36212.00006 (SYN5397.01A)

COMBINED DECLARATION AND POWER OF ATTORNEY

*(ORIGINAL, DESIGN, SUPPLEMENTAL, NATIONAL STAGE OF PCT, DIVISIONAL,
CONTINUATION OR CONTINUATION-IN-PART)*

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

- ☒ original (regular)
- ☐ design
- ☐ supplemental-continuation of PCT Application in the U.S.

NOTE: If the declaration is for an International Application being filed as a divisional, continuation, or continuation-in-part, do not check the next item; check appropriate one of last three items.

- ☐ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all of the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention described in

SPECIFICATION IDENTIFICATION

- ☐ the specification filed herewith by the above-named inventors, with the title listed above.
- ☐ the specification filed herewith by the above-named inventors, with the title listed above, and which was amended by the Preliminary Amendment filed herewith.
- ☐ the specification identified above, as amended by the Preliminary Amendment filed herewith.
- ☒ the specification identified above, and which was amended on N/A.
- ☐ PCT International Application No. _____ filed on _____, and amended under PCT Article 19 on _____ (if applicable).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or under 35 U.S.C. § 365(b) of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any foreign application(s) or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

- ☒ no such applications have been filed.
- ☐ such application have been filed as follows.

PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	FILING DATE (day, month, year)	PRIORITY CLAIMED UNDER 37 U.S.C. § 119	
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional applications (s) listed below:

PROVISIONAL APPLICATION SERIAL NUMBER FILING DATE OF PROVISIONAL APPLICATION

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS
UNDER 35 U.S.C. 120**

(complete this part only if this is a divisional, continuation, CIP or national stage of PCT)

I/We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability under 37 C.F.R. § 1.56, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:**

1. U.S. Applications:

SERIAL NUMBER

FILING DATE

2. PCT Applications Designating The U.S.

PCT APPLICATION NUMBER

PCT FILING DATE

U.S. SERIAL NUMBER

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

John P. O'Banion
James M. Ritchey
Steven L. Smith
Rodger H. Rast
Richard M. Wiesner

Registration No. 33,201
Registration No. 32,594
Registration No. 44,343
Registration No. 45,853
Registration No. 48,748

— Attached as part of this declaration and power of attorney is the authorization of the above-named attorney to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

CUSTOMER NUMBER 8156

John P. O'Banion
O'BANION & RITCHEY LLP
400 Capitol Mall, Suite 1550
Sacramento, CA 95814

DIRECT TELEPHONE CALLS TO:

John P. O'Banion
(916) 498-1010

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of first inventor: MICHAEL J. HORGAN

Inventor's Signature: 

Date: 6-2-03

Country of Citizenship: UNITED STATES

Residence:

SACRAMENTO, CALIFORNIA 95841

P.O. Address:

5037 BUFFWOOD WAY
SACRAMENTO, CA 95841

Full name of second joint inventor:

TIM ALLEN

Inventor's Signature: _____

Date: _____

Country of Citizenship: UNITED STATES

Residence:

SACRAMENTO, CALIFORNIA 95829

P.O. Address:

7956 KEITH WINNEY CIRCLE
SACRAMENTO, CA 95829

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

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SIGNATURE(S)

Full name of first inventor: MICHAEL J. HORGAN

Inventor's Signature: _____

Date: _____ Country of Citizenship: UNITED STATES

Residence: SACRAMENTO, CALIFORNIA 95841

P.O. Address: 5037 BUFFWOOD WAY
SACRAMENTO, CA 95841

Full name of second joint inventor: TIM ALLEN

Inventor's Signature:  _____

Date: 6/3/2003 Country of Citizenship: UNITED STATES

Residence: SACRAMENTO, CALIFORNIA 95829

P.O. Address: 7956 KEITH WINNEY CIRCLE
SACRAMENTO, CA 95829

Full name of third joint inventor: MICHAEL GARDNER
Inventor's Signature: _____
Date: _____ Country of Citizenship: UNITED STATES
Residence: HONG KONG
P.O. Address: HALE WEAL INDUSTRIES BUILDING
22-28 TAI CHUNG ROAD, 6/F
TSUEN WAN, NT, HONG KONG

Full name of fourth joint inventor: TERRI MCGILL
Inventor's Signature: Terri Lynn McGill
Date: June 26th, 2003 Country of Citizenship: UNITED STATES
Residence: ROSEVILLE, CALIFORNIA 95678
P.O. Address: 610 HAMPTON DRIVE
ROSEVILLE, CA 95678

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION

- ☐ Signature for third and subsequent joint inventors.
Number of pages added _____.
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor.
Number of pages added _____.
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47.
Number of pages added _____.
- ☐ Signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time under 37 CFR 1.47.
Number of pages added _____.
- ☐ Authorization of attorney(s) to accept and follow instructions from representative.

☒ This Declaration ends with this page.

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**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR
SIGNATURE BY JOINT INVENTORS ON BEHALF OF NONSIGNING INVENTORS WHO
REFUSE TO SIGN OR CANNOT BE REACHED
(37 CFR 1.47(a))**

("37 C.F.R. § 1.47(a) and 35 U.S.C. § 116 ¶ 2 require all available joint inventors to file an application 'on behalf' of themselves and on behalf of a joint inventor who 'cannot' be found or reached after diligent effort" "or who refuses to join in an application." M.P.E.P. § 409.03(a), 6th ed., rev. 3 (emphasis added). See also 62 Fed. Reg. 53, 131, 53,137, 203 O.G. 68 (Oct. 10, 1997).)

I am an above named joint inventor and have signed this declaration on my own behalf and also sign this declaration under 37 CFR 1.47(a) on behalf of the nonsigning joint inventor, particulars for whom are:

Full name of first joint nonsigning inventor:	MICHAEL GARDNER
Country of Citizenship of nonsigning inventor:	UNITED STATES
Last known address of nonsigning inventor:	HALE WEAL INDUSTRIES BUILDING 22-28 TAI CHUNG ROAD, 6/F TSUEN WAN, NT, HONG KONG


MICHAEL J. HORGAN

Dated: 9-26-03

TIM ALLEN

Dated: _____

TERRI MCGILL

Dated: _____

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Full name of first joint nonsigning inventor:
Country of Citizenship of nonsigning inventor:
Last known address of nonsigning inventor:

MICHAEL GARDNER
UNITED STATES
HALE WEAL INDUSTRIES BUILDING
22-28 TAI CHUNG ROAD, 6/F
TSUEN WAN, NT, HONG KONG

MICHAEL J. HORGAN

Dated: _____


TIM ALLEN

Dated: 9/22/03

TERRI MCGILL

Dated: _____

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Full name of first joint nonsigning inventor:	MICHAEL GARDNER
Country of Citizenship of nonsigning inventor:	UNITED STATES
Last known address of nonsigning inventor:	HALE WEAL INDUSTRIES BUILDING 22-28 TAI CHUNG ROAD, 6/F TSUEN WAN, NT, HONG KONG

MICHAEL J. HORGAN

Dated: _____

TIM ALLEN

Dated: _____



TERRI MCGILL

Dated: Oct. 15, 2003